

MESSAGE NO: 7101201 MESSAGE DATE: 04/11/2007

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5312202
MESSAGE #
(s):

CASE #(s): C-122-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2001 TO 12/31/2001

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR PURE MAGNESIUM & ALLOY MAGNESIUM
FROM CANADA (C-122-815-003) EXPORTED BY MAGNOLA. SEE ALSO MSGS 3157203 &
4002208

MESSAGE NO: 7101201

DATE: 04 11 2007

CATEGORY: CVD

TYPE: LIQ

REFERENCE: 5312202

REFERENCE DATE: 11 08 2005

CASES: C - 122 - 815

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PERIOD COVERED: 01 01 2001 TO 12 31 2001

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR PURE MAGNESIUM & ALLOY
MAGNESIUM FROM CANADA (C-122-815-003) EXPORTED BY
MAGNOLA. SEE ALSO MSGS 3157203 & 4002208

1. ON OCTOBER 31, 2005, THE NAFTA SECRETARIAT PUBLISHED IN THE
FEDERAL REGISTER A NOTICE OF COMPLETION OF PANEL REVIEW OF THE
FINAL RESULTS OF THE NEW SHIPPER REVIEW OF THE COUNTERVAILING
DUTY ORDER ON ALLOY MAGNESIUM FROM CANADA (70 FR 62298). ON
DECEMBER 19, 2006, THE NAFTA SECRETARIAT PUBLISHED IN THE
FEDERAL REGISTER A NOTICE OF COMPLETION OF PANEL REVIEW OF THE
FINAL REMAND DETERMINATION MADE BY THE INTERNATIONAL TRADE
COMMISSION CONCERNING THE FULL SUNSET REVIEW OF THE

COUNTERVAILING DUTY ORDERS ON PURE MAGNESIUM AND ALLOY MAGNESIUM

FROM CANADA (71 FR 75940). AS A RESULT OF THESE DECISIONS, THE SUSPENSION OF LIQUIDATION TO WHICH MESSAGE NOS. 3157203 (DATED 06/06/2003), 4002208 (DATED 01/02/2004), AND 5312202 (DATED 11/08/2005) REFER SUSPENDING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE COUNTERVAILING DUTY ORDER ON ALLOY MAGNESIUM FROM

CANADA FOR PERIOD 01/01/2001 THROUGH 12/31/2001 EXPORTED BY MAGNOLA METALLURGY INC. ("MAGNOLA") (C-122-815-003) IS LIFTED. FURTHER, AS A RESULT OF THESE DECISIONS, NO AMENDED FINAL RESULTS OF THE NEW SHIPPER REVIEW OF THE COUNTERVAILING DUTY ORDER ON ALLOY MAGNESIUM FROM CANADA WERE PUBLISHED. THEREFORE,

THESE INSTRUCTIONS PROVIDE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF ALLOY MAGNESIUM FROM CANADA FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001.

2. IMPORTS COVERED BY THIS REVIEW ARE SHIPMENTS OF ALLOY MAGNESIUM FROM CANADA. MAGNESIUM ALLOYS CONTAIN LESS THAN 99.8 PERCENT MAGNESIUM BY WEIGHT WITH MAGNESIUM BEING THE LARGEST METALLIC ELEMENT IN THE ALLOY BY WEIGHT, AND ARE SOLD IN VARIOUS INGOT AND BILLET FORMS AND SIZES. THE MERCHANDISE UNDER REVIEW IS CURRENTLY CLASSIFIABLE UNDER ITEM 8104.19.0000 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES. SECONDARY AND GRANULAR MAGNESIUM ARE NOT INCLUDED IN THE SCOPE OF THIS ORDER.

3. THE NET SUBSIDY FOR MAGNOLA WAS FOUND TO BE 7.00 PERCENT AD VALOREM FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001.

4. ACCORDINGLY, YOU ARE TO LIQUIDATE AT 7.00 PERCENT OF THE ENTERED VALUE ALL SHIPMENTS OF ALLOY MAGNESIUM FROM CANADA EXPORTED BY MAGNOLA ON OR AFTER 01/01/2001 AND ON OR BEFORE 12/31/2001.

5. THE ASSESSMENT OF COUNTERVAILING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF

SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDERS. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE 12/31/2001 IS LIFTED.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 01:AM)).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party